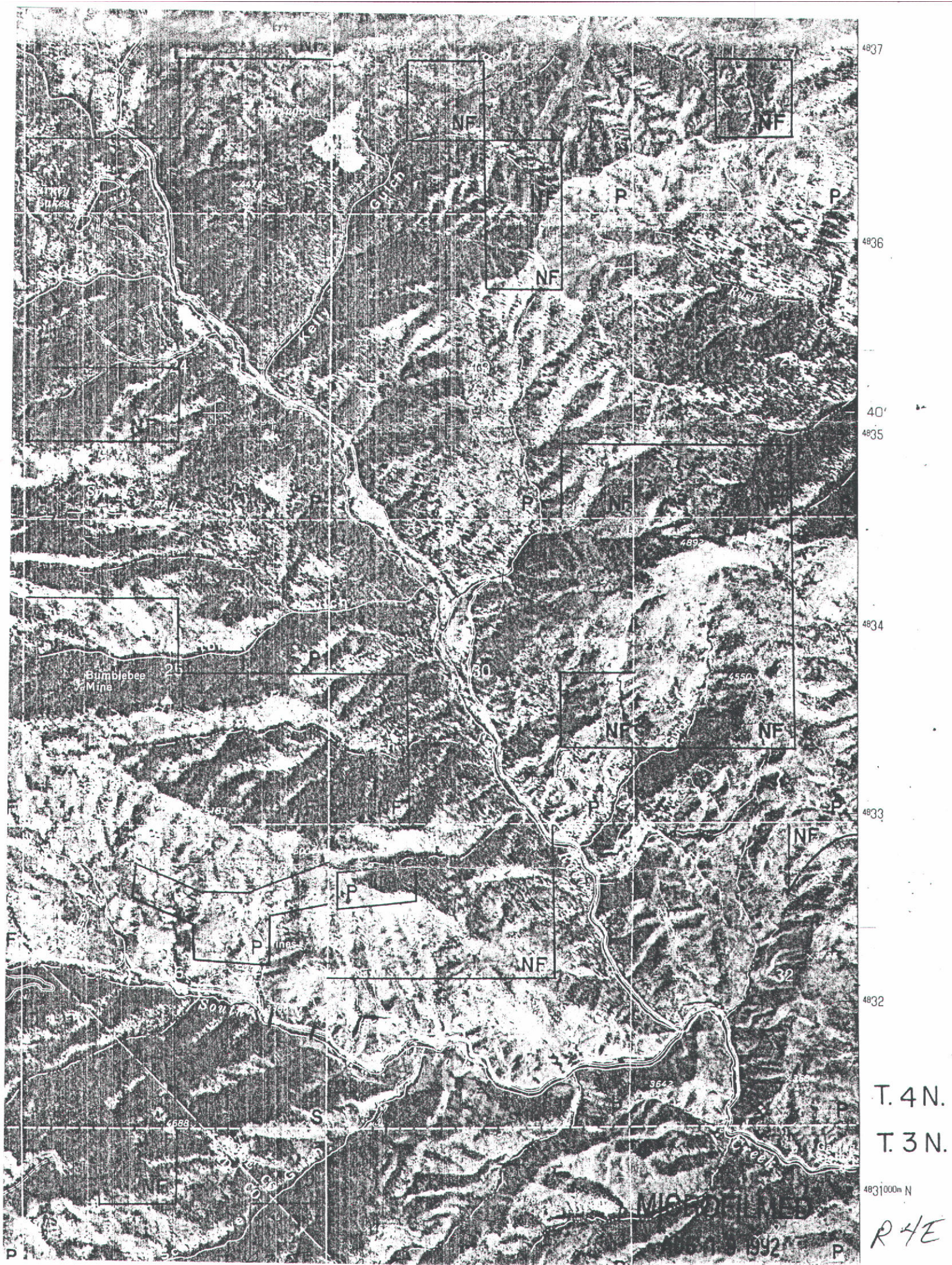




463-3422A

31

463-3422A

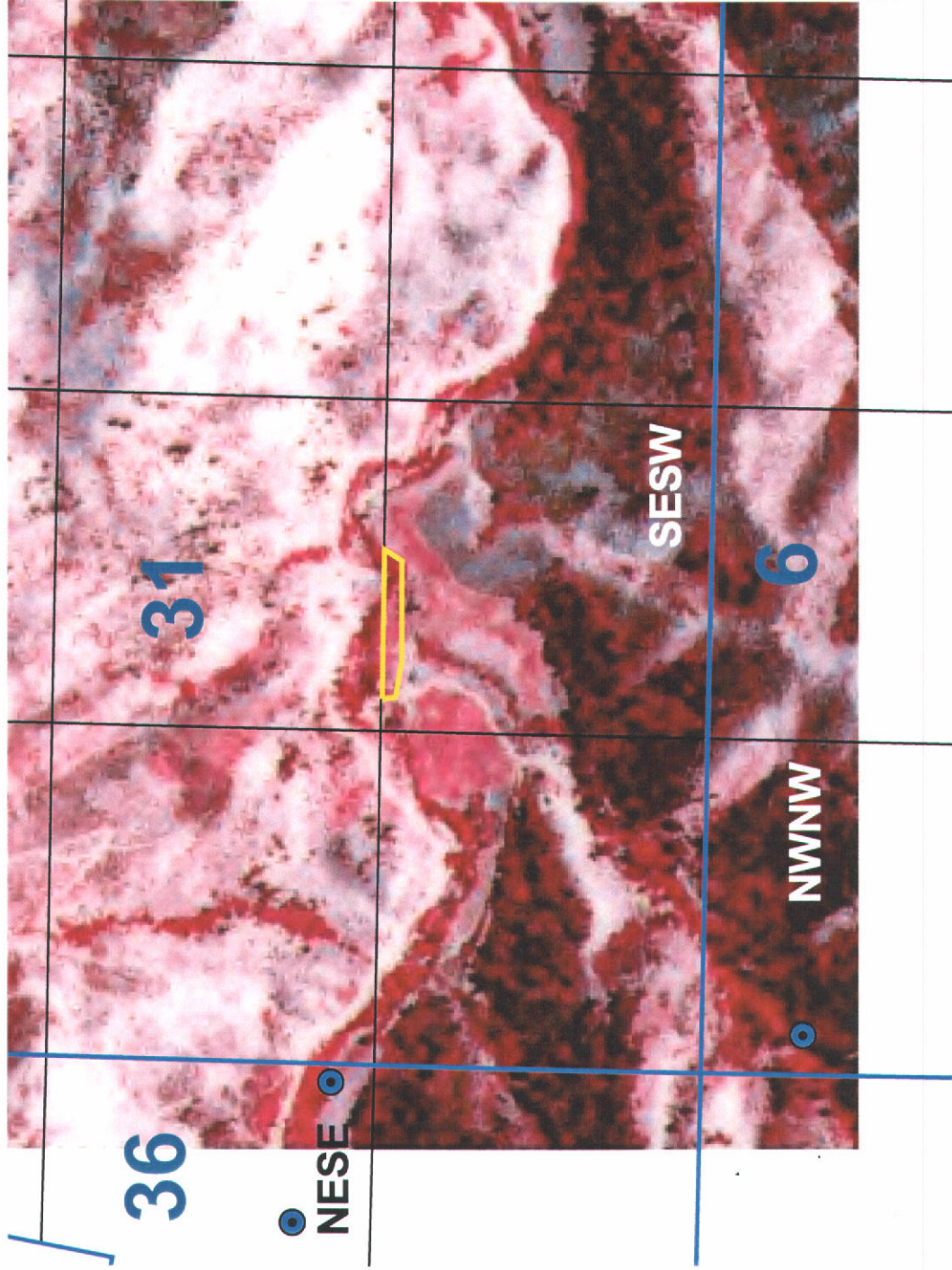
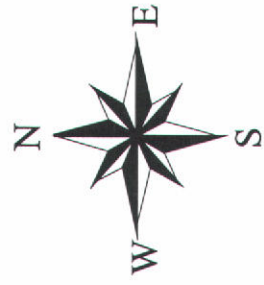
Some pop's
as 3422B

3422B
3.8 ac.
Cg Property

MSWS

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-3422A

OWNER(S): BLUM, JAN

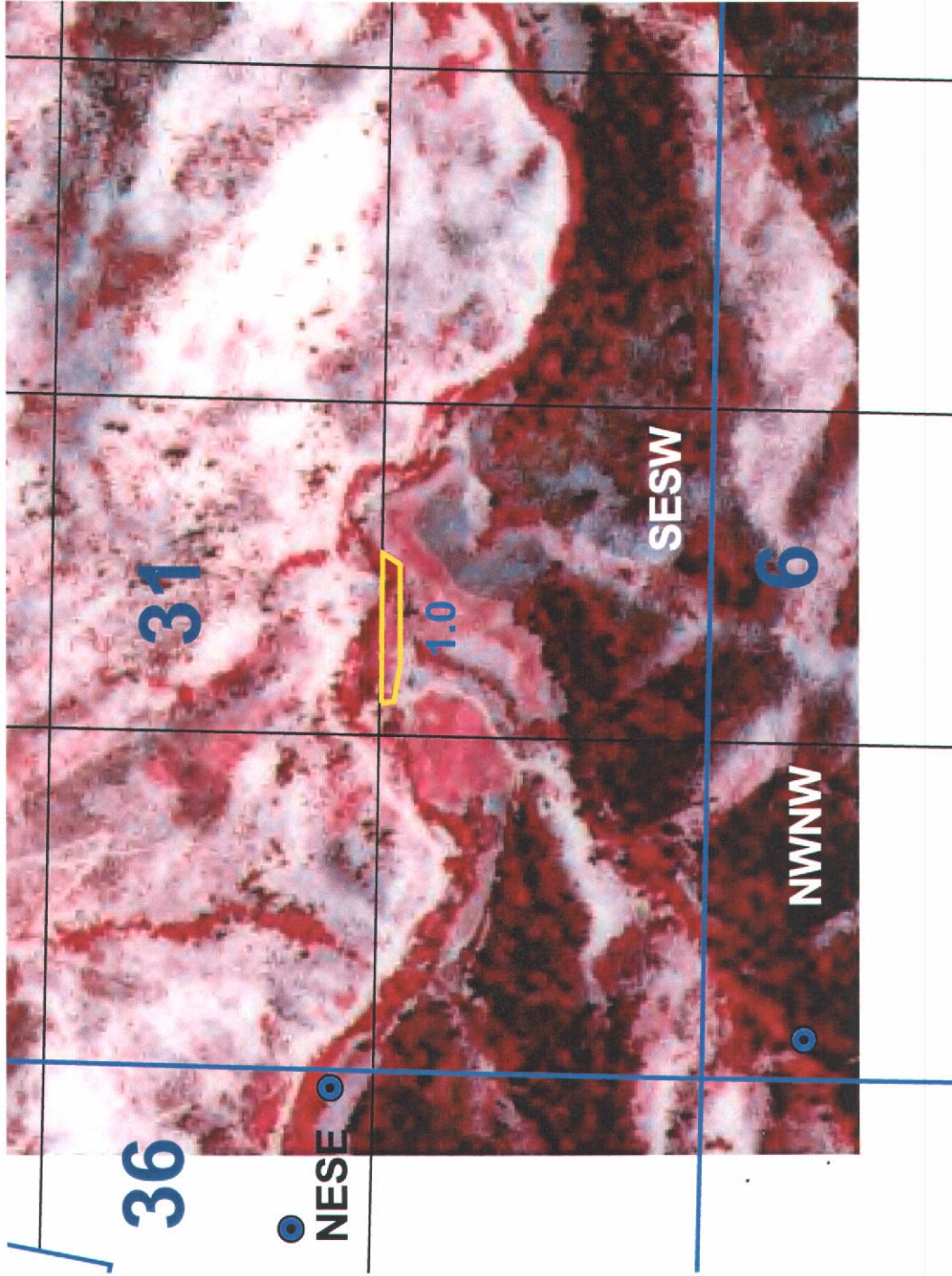
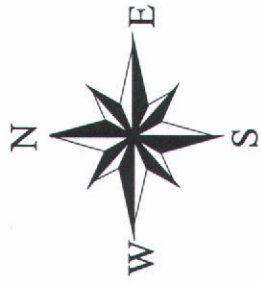
DATE: DECEMBER 13, 2001

by: Mel Schulte

0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-3422A

OWNER(S): BLUM, JAN

DATE: DECEMBER 13, 2001

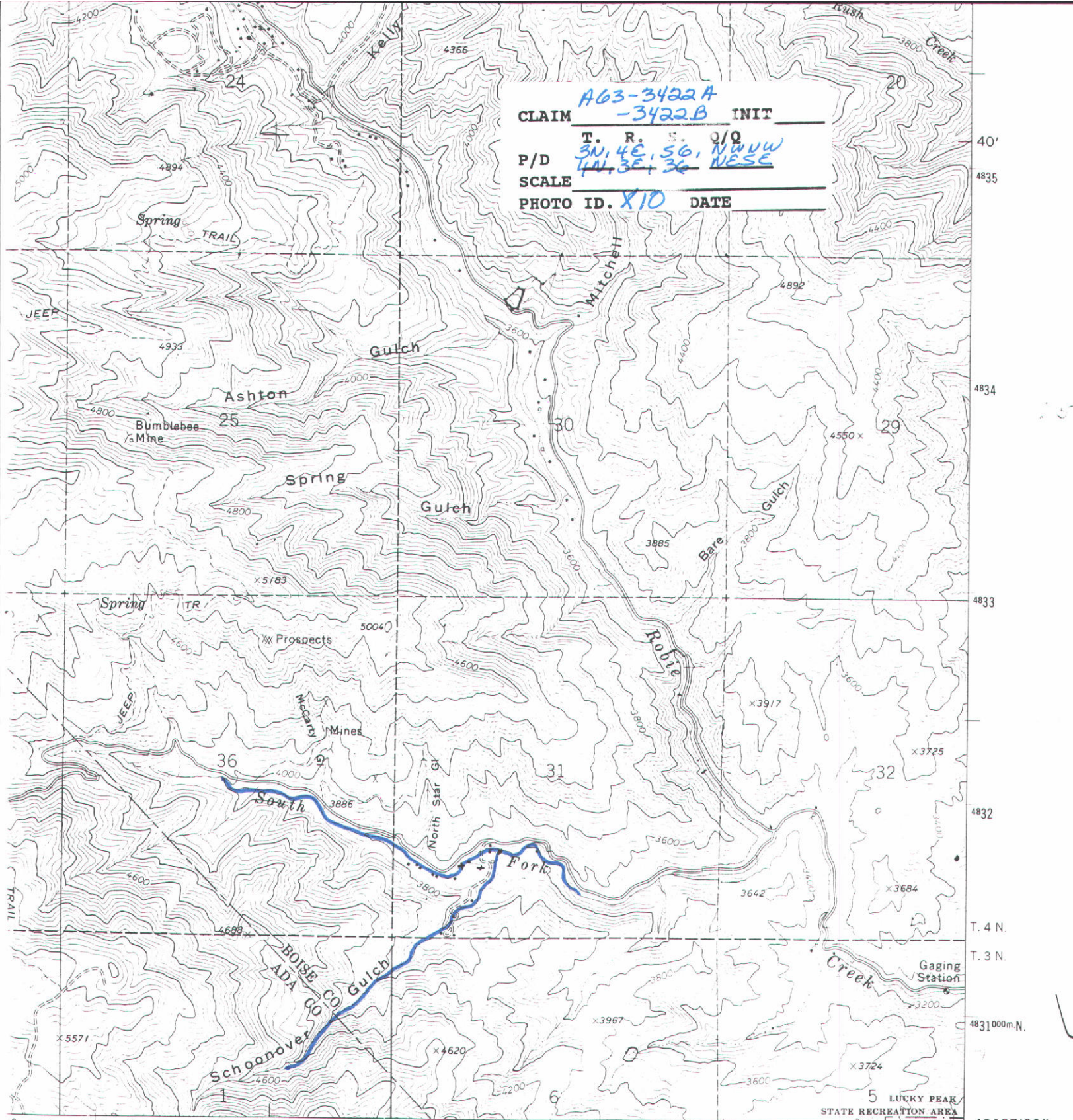
by: Mel Schulte

0 0.25 0.5 0.75 1 Miles

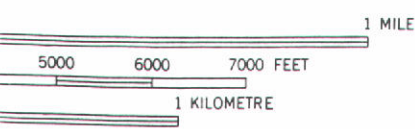
63-3422A & 63-3422B



CLAIM A63-3422 A INIT
-3422 B
 T. R. S. Q/Q
 P/D 3N, 4E, 5G, NW1/4
1/4, 3E, 3G, NESE
 SCALE _____
 PHOTO ID. X10 DATE _____



SEE NOTES AT TOP OF PAGE 30"



EET
1 OF 1929



QUADRANGLE LOCATION

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1975
 579 580000m E. 43°37'30" 116°00'

ROAD CLASSIFICATION

- Primary highway, hard surface _____
- Light-duty road, hard or improved surface _____
- Secondary highway, hard surface _____
- Unimproved road _____
- Interstate Route ○ U. S. Route ○ State Route



ROBIE CREEK, IDAHO

NE/4 BOISE 15' QUADRANGLE
 N4337.5-W11600/7.5

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-3422A
Date Received: 5/18/1989
Receipt No: C006921
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILLIAM WH POTE Phone:
27 IDAHO CITY STAGE RD
BOISE ID USA 83716

MARY LOU POTE Phone:
27 IDAHO CITY STAGE RD
BOISE ID USA 83716

2. Date of Priority: 07/10/1964

3. Source: LEIGH CREEK , SCHOONOVER CREEK Trib. to: ROBIE CREEK , ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	03E	36	NE	SE		BOISE	
04N	03E	36	NE	SE		BOISE	

5. Description of diverting works:

DIVERSION DAMS, PIPELINE, 2 VALVES IN PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04E	31	SW	SW	4	IRRIGATION
						1
Section Acres						1
Total Acres						1

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

2 P/D IN NESE, SEC. 36, T4N, R3E.
LEIGH CREEK ALSO KNOWN AS ROBIE CREEK, SOUTH FORK

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03422A
Date Received: 5-18-89
Receipt No: C006921
Received By:
CA

RECEIVED
MAY 18 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ^{Department of Water Resources} WILLIAM W.H. POTE 208-342-0858
Address: HC 33, BOX 2057 83706
BOISE, ID
AND/OR
Name: MARY LOU POTE 208-342-0858
Address: HC 33, BOX 2057 83706
BOISE, ID

2. Date of Priority: JUL 10, 1964

3. Source: SCHOONOVER CREEK Trib. to: ROBIE CREEK
LEIGH CREEK ROBIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03E	36	NE	SE			BOISE

5. Description of diverting works:
DIVERSION DAMS, PIPELINE, 2 VALVES IN PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04E	31	SW	SW	4	IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
2 P/D IN NESE, SEC. 36, T4N, R3E.
LEIGH CREEK ALSO KNOWN AS ROBIE CREEK, SOUTH FORK

15. Basis of Claim: LICENSE
Water Right Number: 31992

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

William W. H. H. H.

Date:

5/17/89

Date:

State of ~~Idaho~~ CALIFORNIA)

) SS.

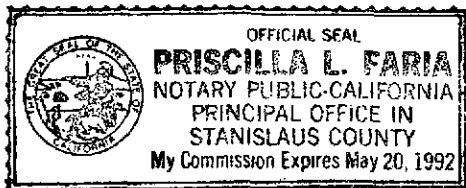
County of STANISLAUS)

Subscribed and sworn (or affirmed) before me this 17th day

of May 19 89

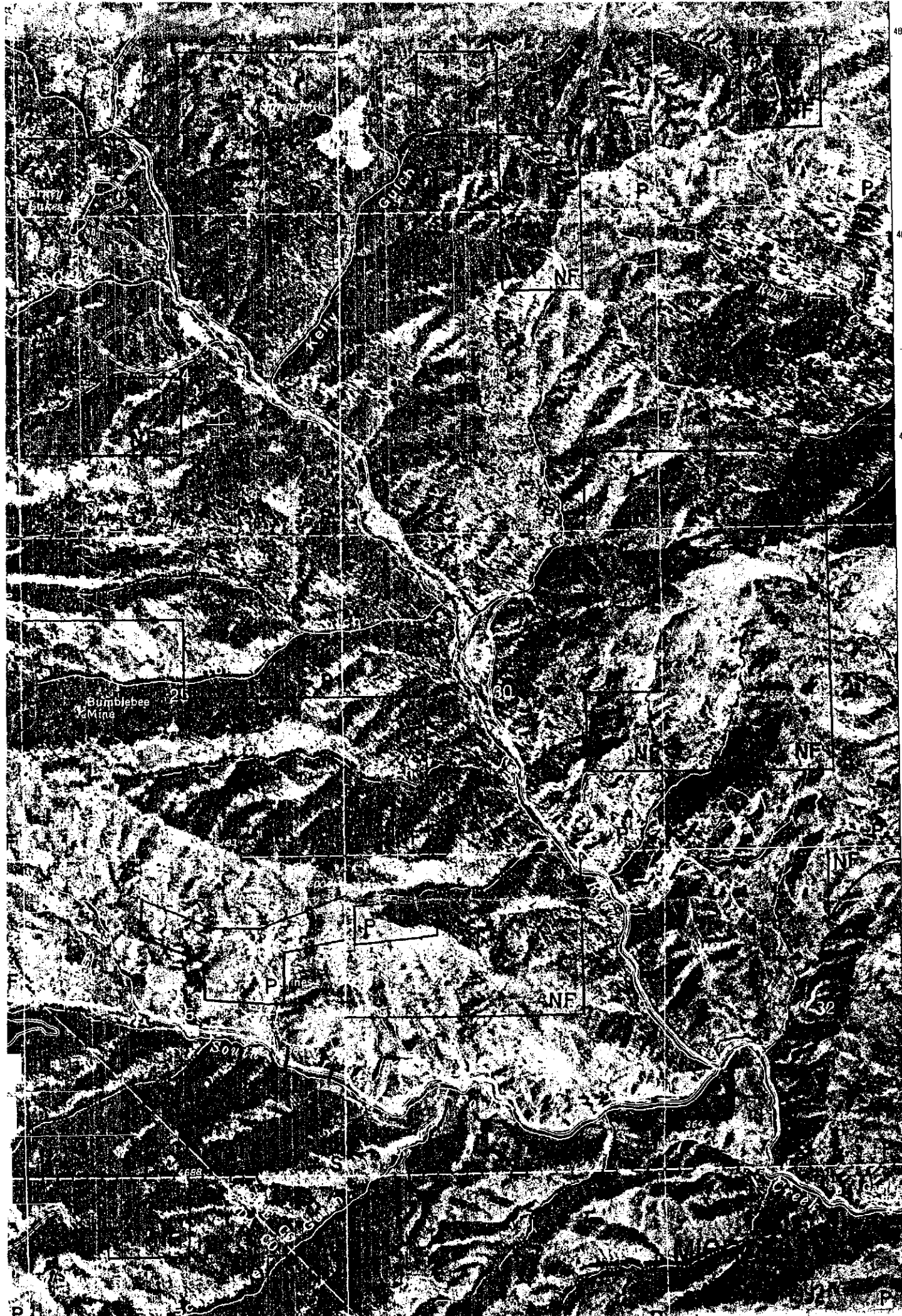
Priscilla L. Faria
Notary Public

Seal



Residing at Merlock CA

My Commission Expires May 20, 1992



4837

4836

40'

4835

4834

4833

4832

T. 4 N.

T. 3 N.

4831000m N

R 4 E

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

CLAIM IDENT. NO.

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
- Is the consumptive use correct? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO N/A ☐ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO N/A ☐ YES ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☐ NO Exempt ☐ YES ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A ☐ YES ☐ NO *
22. Should this claim be receipted and data entered? ☐ YES ☐ NO *

Claim checked by: _____

Date: _____

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be sent a copy of amended claim for approval: _____

(Yes) (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: 5/18/89

Date: 5-10-89

Date: 6-8-89

Checked by: _____

Date: _____

Comments: _____

MICROFILMED

AUG 19 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED *DL*

In Re SRBA)
Case No. 19576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-03422A

2004 NOV 5 AM 10 57

NAME AND ADDRESS: MARY LOU POTE
WILLIAM WH POTE
27 IDAHO CITY STAGE RD
BOISE, ID 83716

SOURCE: SOUTH FORK ROBIE CREEK TRIBUTARY: ROBIE CREEK
SCHOOVER GULCH TRIBUTARY: SOUTH FORK ROBIE CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 07/10/1964

POINT OF DIVERSION: T03N R04E S06 NWNWNW Within Boise County
T04N R03E S36 NESE
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.02 CFS

DIVERSION FOR IRRIGATION UNDER THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL OCCUR ONLY AS AUTHORIZED BY THE WATER DISTRICT 63 WATERMASTER AND ONLY WHEN WATER IS BEING RELEASED FOR FLOOD CONTROL BY THE UNITED STATES FROM THE LUCKY PEAK DAM OUTLET UNDER PROCEDURES AND REQUIREMENTS FOR THE MEMORANDUM OF AGREEMENT BETWEEN THE U.S. DEPARTMENT OF THE ARMY AND THE U.S. DEPARTMENT OF THE INTERIOR FOR FLOOD CONTROL OPERATIONS OF THE BOISE RIVER RESERVOIRS, DATED NOVEMBER 20, 1953, THE WATER CONTROL MANUAL FOR BOISE RIVER RESERVOIR DATED APRIL 1985 AND ANY FUTURE AMENDMENTS OR REVISIONS MADE THERETO PURSUANT TO STATE OR FEDERAL PROCEDURES OR LAW; PROVIDED THAT ANY SUCH USE OF THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL BE SUBORDINATED TO WATER RIGHTS FOR STORAGE IN LUCKY PEAK RESERVOIR AND/OR LAKE LOWELL AS DECREED IN SRBA CASE NO. 39576

PLACE OF USE: Irrigation Within Boise County
T04N R04E S31 SWSW 1.0
1.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

Page 1

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☐ **Quantity**
Should be:

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☒ **Period of Year**
Should be: April 1 to November 1

9. ☐ **Place of Use**
Should be:

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S): The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

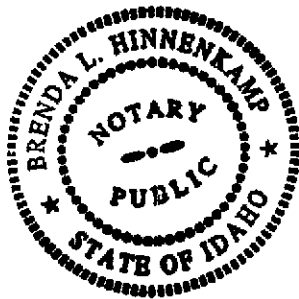
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Albert P. Barker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: See Attachment B
Address:

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT D

63-3540

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

63-19A

Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B

Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057

Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174

Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397

Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093

Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332

Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408

Scott R Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B

Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97

L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378

Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124

Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319

Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548

James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677

Barry Marcus
737 N 7th St
Boise ID 83702

63-4071

Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C

Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A

Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409

Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636

Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173

Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320

David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125

State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454

Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D

Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310

Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Lizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

5ue

RECEIVED

FEB 4 - 2003

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 63-3422A
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Mary Lou Pote William W H Pote
Address: 27 Idaho City Stage Rd
Boise, ID 83716

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

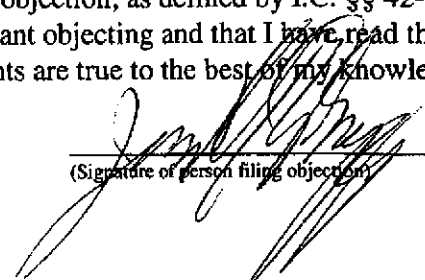
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

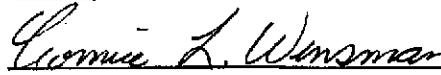
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003

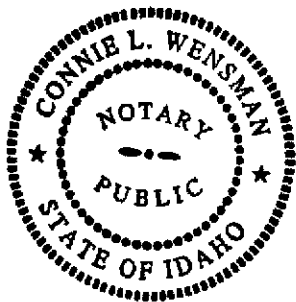


Connie L. Wensman

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 10-06-2004



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Mary Lou Pote William W H Pote

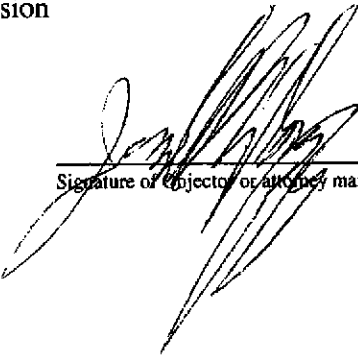
Address: 27 Idaho City Stage Rd
Boise, ID 83716

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of objector or attorney mailing on Objector's behalf

02/01/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3422A

NAME AND ADDRESS: MARY LOU POTE
27 IDAHO CITY STAGE RD
BOISE ID 83716

WILLIAM WH POTE
27 IDAHO CITY STAGE RD
BOISE ID 83716

SOURCE: SCHOONOVER GULCH
SOUTH FORK ROBIE CREEK

TRIBUTARY: SOUTH FORK ROBIE CREEK
TRIBUTARY: ROBIE CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 07/10/1964

POINT OF DIVERSION:

T03N R04E S6 NWNWNW Within BOISE County

T04N R03E S36 NESE Within BOISE County

T04N R03E S36 NESE Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.020 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T04N R04E S31 SESW 1.0

1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

THE SOURCE SCHOONOVER GULCH IS ALSO KNOWN AS SCHOONOVER
CREEK.
THE SOURCE SOUTH FORK ROBIE CREEK IS ALSO KNOWN AS LEIGH
CREEK.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-3422A

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: Owner is Jan Blum, daughter of claimant
☐ No Change ADDRESS but no ownership change has been filed
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 7-10-1964
(If the priority date, based on your exam, seems questionable, explain below.)

as licensed

3. ☒ No Change — SAME SOURCE
☒ Source is different than that claimed:
Source found: Lugh Creek is now SF Robie Creek.

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:

Township 3N Range 4E Section 6 1/4 NW 1/4 NW 1/4 NW add.
Township 4N Range 3E Section 36 1/4 _____ 1/4 NE 1/4 SE - X 2

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: IRR Township 4N Range 4E Section 31 1/4 SE 1/4 SW - 1 ac.
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

POU & field exam assisted by Jan Blum
and Pat Cafferty

C18, Exp B01

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-22-01

FIELD EXAMINER: _____

Print Name

Mel Schulte
Signature

State of Idaho

License and Certificate of Water Right

Water License No. 31992 Priority July 10, 1964 Amount 0.14 c.f.s.

THIS IS TO CERTIFY that HUGH A. COOK

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 10, 1964; that Permit No. 31992 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.30 second feet, was issued thereunder on July 14, 1965, showing that said works were completed on the 12th day of July, 1965; and that on the 20th day of August, 1965, HUGH A. COOK

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Schoonover & Leigh Creeks

a tributary of Robie Creek for the purpose of Irrigation under Use Permit No. 31992 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in the Boise County Clerk's Office, on the 29th day of February, 1968.

The right hereby confirmed dates from July 10, 1964.

The Point of Diversion is located 2 points in NE 1/4 Section 36 T. 4 N. R. 3 E., Leigh Creek in the NW 1/4 NW 1/4, Sec. 6 Twp. 3 N. R. 4 E., B.M. Schoonover Cr., Boise County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.14 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	4 E	31	SE 1/4 SW 1/4	7.5	6
			SW 1/4 SW 1/4	7.5	9
Total number of acres irrigated:					15

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 29th day of February, 1968.

Jack A. Brumitt
Deputy State Reclamation Engineer.

63 3472

31992

Split Tree 63-3422

63-3422

DR: .14 cfs.

POB: 3N, 4E, S6, NWNW - Schoonover Cr.

4N, 3E S36, NESE - Leigh Cr. (SF Robie Creek)

POU: 4N, 4E, S31, SWSW - 9 SESW - 6

A63-3422A N/D Pote

DR: .02 cfs

POB: 4N, 3E, S6, NESE - (Leigh Cr (SF Robie Creek)

POU: 4N, 4E, 31, ^{SE}~~SWSW~~ (L4A) - 1 ac

A63-3422B Cofferty

DR: .12 cfs.

POB: 3N, 4E, S6, NWNW - Schoonover Cr.

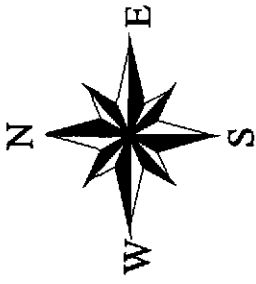
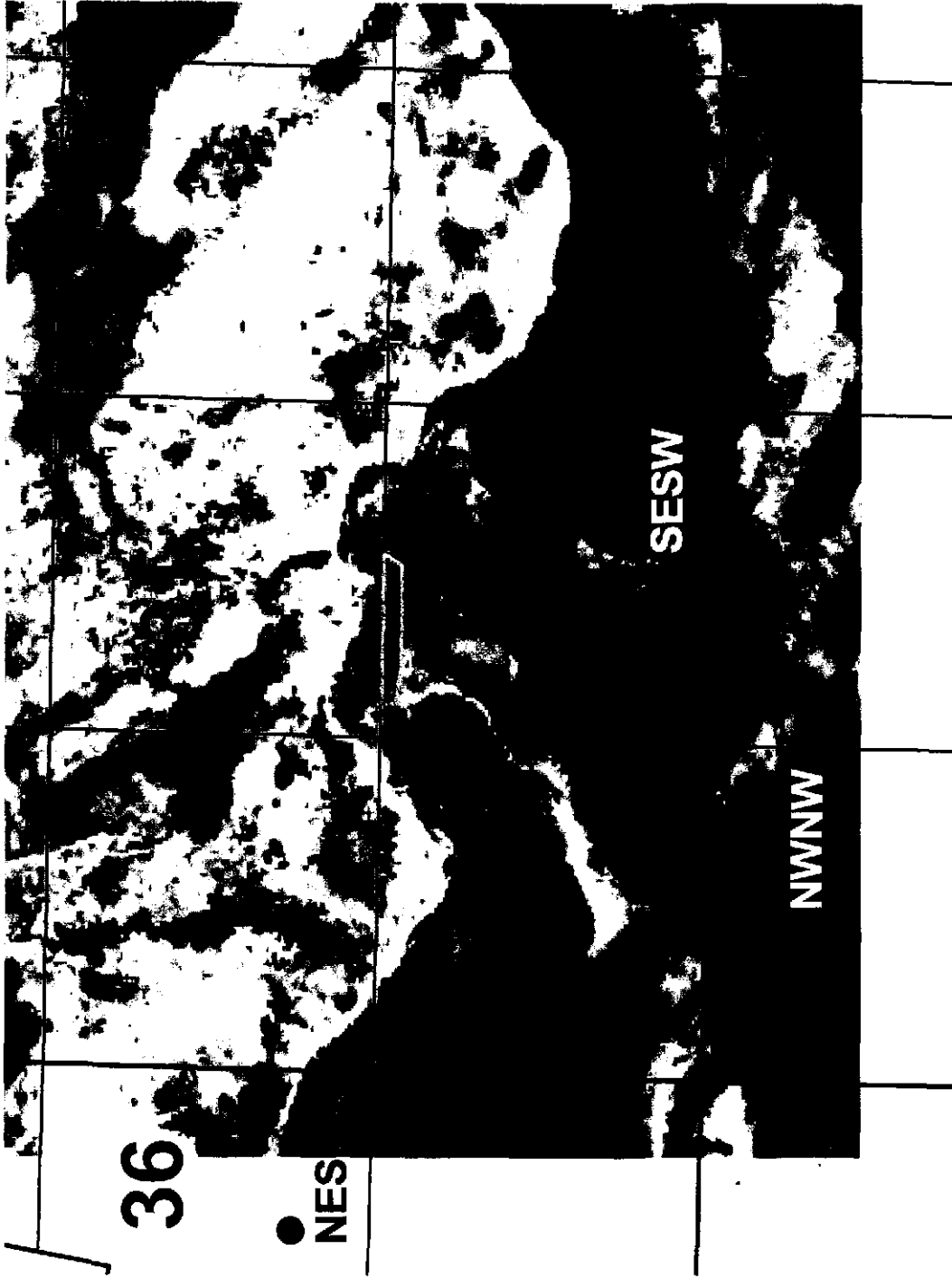
4N, 3E, S36, NESE - Leigh Cr. (SF Robie Creek)

POU: 4N, 4E, S31, SWSW - 5 ac SESW - 9 ac.



IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S31



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-3422A

OWNER(S): BLUM, JAN

DATE: DECEMBER 13, 2001

by: Mel Schulte

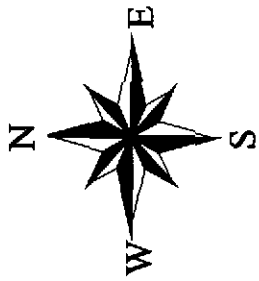
0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T04N, R04E, S31

36

● NES



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-3422A

OWNER(S): BLUM, JAN

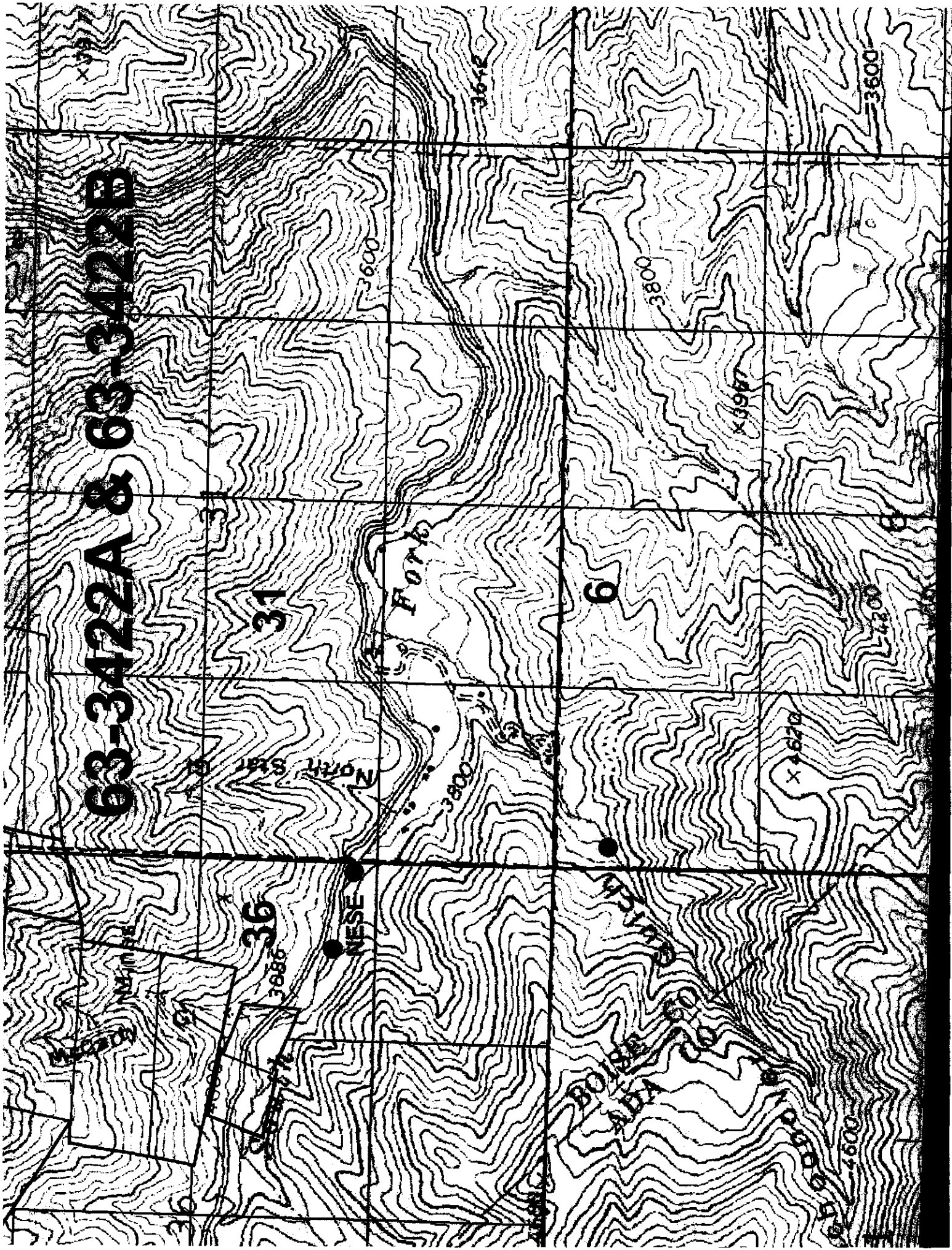
DATE: DECEMBER 13, 2001

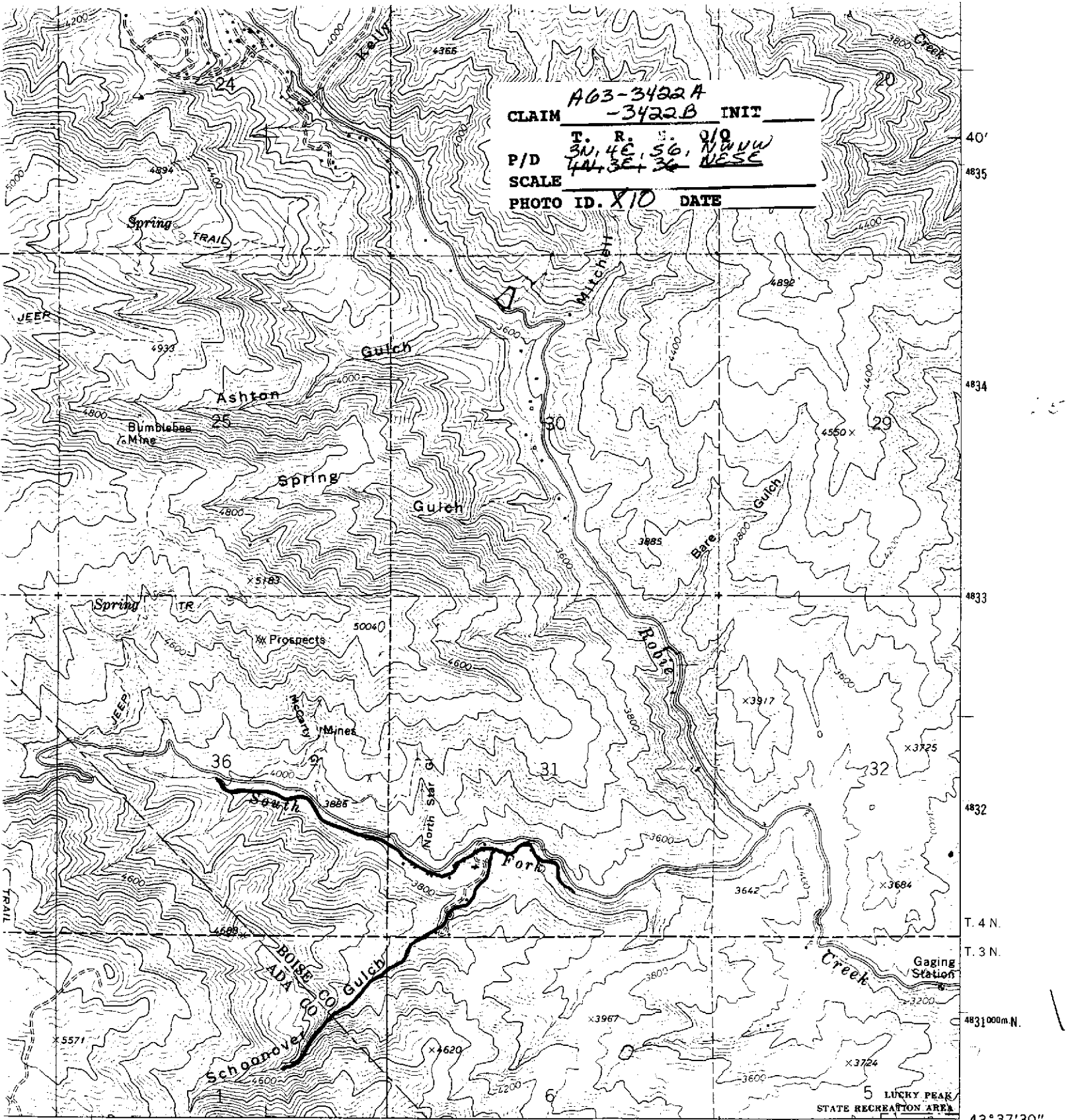
by: Mel Schulte



0 0.25 0.5 0.75 1 Miles

63-3422A & 63-3422B





CLAIM A63-3422A
-3422B INIT
 T. R. S. Q10
 P/D 3N, 4E, 5G, NW NW
4N, 3E, 3G, NESE
 SCALE
 PHOTO ID. X10 DATE

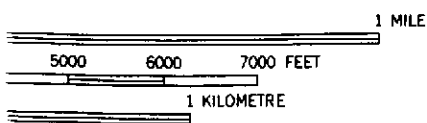
SEE NOTES AT TOP OF PAGE 30"

R. 3 E. R. 4 E.

579

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1975
 580000m.E.

43° 37' 30"
 116° 00'



1 OF 1929



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Primary highway, hard surface Light-duty road, hard or improved surface
 Secondary highway, hard surface Unimproved road

○ Interstate Route ○ U. S. Route ○ State Route

ROBIE CREEK, IDAHO

NE 1/4 BOISE 15' QUADRANGLE
 N4337.5—W11600/7.5

1972

CURACY STANDARDS
 80225, OR RESTON, VIRGINIA 22092
 S IS AVAILABLE ON REQUEST

06/04/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-3422A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY LOU POTE
Current Owner	WILLIAM WH POTE
	HC 33 BOX 2057
	BOISE, ID 83706
	(208)342-0858
Original Owner	HUGH A COOK
	C/O JOHN JONES
	2845 REDWAY RD
	BOISE, ID 83704

Priority Date: 07/10/1964
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
LEIGH CREEK	ROBIE CREEK
SCHOONOVER CREEK	ROBIE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.02 CFS		
Total Diversion			0.02 CFS		

Location of Point(s) of Diversion:

LEIGH CREEK	NESE	Sec. 36	Township 04N	Range 03E	BOISE County
SCHOONOVER CREEK	NESE	Sec. 36	Township 04N	Range 03E	BOISE County

IRRIGATION Use:
Acre Limit: 1

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04E	31	4	SWSW	1									

Total Acres: 1

Remarks:

- General 2 P/D IN NESE, SEC. 36, T4N, R3E.
LEIGH CREEK ALSO KNOWN AS ROBIE CREEK, SOUTH FORK

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

06/04/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-3422B

Owner Type Name and Address
Current Owner ALLAN E CAFFERTY
Current Owner VIRGINIA M CAFFERTY
 2121 S EAGLESON
 BOISE, ID 83705
 (208)375-7924

Original Owner HUGH A COOK
 C/O JOHN JONES
 2845 REDWAY RD
 BOISE, ID 83704

Priority Date: 07/10/1964
Basis: License
Status: Active

Source Tributary to
SCHOONOVER CREEK ROBIE CREEK
LEIGH CREEK ROBIE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	0.12 CFS		
Total Diversion			0.12 CFS		

Location of Point(s) of Diversion:

NWNW	Sec. 06	Township 03N	Range 04E	BOISE County
NESE	Sec. 36	Township 04N	Range 03E	BOISE County

IRRIGATION Use:
Acre Limit: 14

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04E	31		SWSW	5		SESW	9						

Total Acres: 14

Remarks:

- General 2 P/D IN NESE, SEC. 36, T4N, R3E.
 SOURCES ARE SCHOONOVER CK. & LEIGH CK. BOTH TRIB. TO ROBIE CK.
 || THIS WATER RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS: A63-03422A, .02 CFS, WILLIAM
 W.H. &/OR MARY LOU POTE ALSO A63-03422B, 0.12 CFS, ALLAN E. CAFFERTY OR VIRGINIA M.
 CAFFERTY

Dates:

Licensed Date:
Claim Received Date: